



**TRANSMITTAL
FORM**

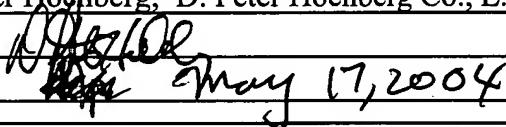
(to be used for all correspondence after initial filing)

		Application Number	10/726,883
		Filing Date	December 3, 2003
		First Named Inventor	Jack S. Rosen
		Art Unit	3749
		Examiner Name	
Total Number of Pages in This Submission	4	Attorney Docket Number	KH0694US (#90636)

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): postcard receipt
--	--	--

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	D. Peter Hochberg; D. Peter Hochberg Co., L.P.A.	
Signature		
Date	May 17, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Sean Mellino	
Signature		Date
	May 18, 2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as First Class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date noted below:

Date: May 18, 2004

Sean Mellino
Sean Mellino

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jack S. Rosen
Serial No. : 10/726,883 (Conf. No.: 5360)
Filed : December 3, 2003
Title : Combination Barbeque Grill, Smoker and Fire Pit
Examiner/Art Unit : / 3749
Attorney Docket : KH0694US (#90636)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

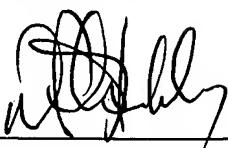
Preliminary Amendment

Dear Sir:

Prior to the substantive examination of the above-identified continuation application, please amend the application without prejudice as noted below. Please amend the title to read: "COMBINATION BARBEQUE GRILL, SMOKER AND FIREPLACE". No new matter has been added.

Respectfully submitted,

By: _____


D. Peter Hochberg
Reg. No. 24,603

DPH/sm

D. Peter Hochberg Co., L.P.A.
1940 East 6th Street – 6th Floor
Cleveland, OH 44114-2294
(216) 771-3800